IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.3463 OF 2006

Mahadeo Dharma Mhatre & ors. Applicants
versus
The State of Maharashtra Respondent

Shri S.R.Chitnis, Sr.Counsel i/by S.V.Kotwal for applicants.

Shri P.A.Pol, APP for respondent.

CORAM : S.C.DHARMADHIKARI, J.

DATE : 25th September 2006

PC :

1. The applicants are arrested in connection with CR No.II-35 of 2006 by Kalamboli Police Station. The offences alleged are punishable under section 3 and 7 of the Essential Commodities Act and Section 420 of IPC.. They were arrested on 28th August 2006 in connection with the said offence.

2. It is contended by Shri Chitnis - learned Senior Counsel that about seven co-accused were released on bail by the learned Sessions Judge, Raigad, Alibag. On the grounds of parity so also

the only allegation appearing on record being that the applicants had been supplying empty Gas Cylinders, they deserved to be enlarged on bail.

3. After this application is perused by me together with its annexures, I am of the view that the applicants having been remanded to Magisterial Custody for last about a month and the investigations going on with regard to other aspects of the matter, interest of justice would be subserved if on par with the co-accused, they are enlarged on bail. Hence, following order.

4. ORDER :-

(i) The applicants shall be enlarged on bail in connection with C.R.No.II-35 of 2006 registered with Kalamboli Police Station, Kalamboli subject to furnishing a personal bond of Rs.20,000/- (Rs.Twenty thousand only) with one or two local sureties in the like sum;

(ii) The applicants shall report to Kalamboli Police Station once in a week till charge sheet is filed;

(iii) The applicants shall furnish their

residential address to the Investigating Officer forthwith and without intimation to him, shall not change the residence;

(iv) The bail is granted subject to condition that the applicant shall not, directly or indirectly, make any inducement or threat to any prosecution witnesses and shall not in any manner tamper with prosecution evidence;

(v) The applicant shall co-operate with the Trial Court for expeditious disposal of the trial. Any attempt by the applicant to delay the trial may be a ground for cancellation of bail;

(vi) Any observation/s made in this order shall not be constructed as any finding or any expression of opinion on the merits of the case at the time of trial;

(vii) Application is disposed of in above terms.

(S.C.DHARMADHIKARI, J.)